



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

THE  
AMERICAN LAW REGISTER.

NEW SERIES,  
VOLUME IX.  
(OLD SERIES, VOL. 18.)

FROM JANUARY TO DECEMBER, 1870.

EDITORS:

JAMES T. MITCHELL, Esq., PHILADELPHIA.

HON. ISAAC F. REDFIELD, BOSTON. | PROF. THEODORE W. DWIGHT, N.Y.

HON. EDMUND H. BENNETT, BOSTON. | HON. J. F. DILLON, DAVENPORT, IOWA.

ALEX. MARTIN, Esq., St Louis, Mo.

PHILADELPHIA:  
D. B. CANFIELD & CO.  
1870.

---

ENTERED, according to Act of Congress, in the year 1870, by

D. B. CANFIELD & CO.,

in the Clerk's Office of the District Court of the Eastern District of Pennsylvania.

---

# TABLE

## OF

### LEADING ARTICLES, ETC.

---

	PAGE
Burden of Proof in Cases of Insanity, . . . . .	201, 329
Estates, Restraints on the Alienation and Enjoyment of, . . . . .	393, 457, 521
Fletcher, Richard, . . . . .	129
Good-Will in Partnerships, . . . . .	65
Indiana Divorces, . . . . .	721
Insanity, Burden of Proof in Cases of, . . . . .	201, 329
Judicial Power to declare Acts of Congress void for Unconstitutionality, . . . . .	585
Law Books, Lists of New, 64, 128, 264, 392, 456, 584, 648, 720	
Legal Notes, . . . . .	53, 248
Municipal Subscriptions and Taxation in Aid of Rail- roads, . . . . .	649
Partner, Power to bind the Firm by Sealed Instrument,	265
Partnerships, Good-Will in, . . . . .	65
Power of the Judiciary to declare an Act of Congress void for Unconstitutionality, . . . . .	585
Power of One Partner to bind the Firm by Sealed Instrument, . . . . .	265
Railroads, Municipal Subscriptions and Taxation in Aid of, . . . . .	649

	PAGE
Removal of Causes from State to Federal Courts, .	1
Restraints on the Alienation and Enjoyment of Estates, .	393
	457, 521

### ABSTRACTS OF RECENT DECISIONS.

California, Supreme Court, . . . . .	315
Georgia, Supreme Court, . . . . .	507, 635
Illinois, Supreme Court, . . . . .	54, 118, 259, 383, 635, 711, 773
Indiana, Supreme Court, . . . . .	440
Maine, Supreme Judicial Court, . . . . .	118, 190
Maryland, Court of Appeals, . . . . .	315, 440, 574
Missouri, Supreme Court, . . . . .	190, 315, 635
New Hampshire, Supreme Judicial Court, . . . . .	507, 711
New Jersey, Court of Chancery, . . . . .	315, 383
New York, Court of Appeals, . . . . .	54
New York, Supreme Court, . . . . .	118, 190, 257, 315, 383, 507 635, 711
North Carolina, Supreme Court, . . . . .	383, 440, 574
United States, Supreme Court, . . . . .	54, 118, 190, 440, 507, 574, 773
Vermont, Supreme Court, . . . . .	574, 635
Wisconsin, Supreme Court, . . . . .	118, 259

# TABLE OF CASES.

	PAGE		PAGE
Angier <i>v.</i> Angier . . .	335	Densmore Oil Co. <i>v.</i> Dens-	
Averill, Smith <i>v.</i> . . .	47	more . . . . .	96
Bank, Sparks <i>v.</i> . . .	365	Detroit <i>v.</i> Blakeby . . .	670
Bininger, Clark <i>v.</i> . . .	304	Dick, Clark <i>v.</i> . . .	739
Blakeby, Detroit <i>v.</i> . . .	670	Evans, Schneider <i>v.</i> . . .	536
Boston, Savings Institu-		Express Co. <i>v.</i> R. R. Co. . .	728
tion <i>v.</i> . . . . .	272	Farley, Fulton <i>v.</i> . . .	401
Brazleton, Smith <i>v.</i> . . .	762	Farmers' Bank, Sparks <i>v.</i>	365
Brig Anna, Oologardt <i>v.</i>	475	Farmers' Market Co., Cox	
Capen <i>v.</i> Peckham . . .	136	<i>v.</i> . . . . .	103
Carey <i>v.</i> Nagel . . .	362	Fleck, Woodson <i>v.</i> . . .	435
Chicago & N. W. R. R. Co.		Fulton <i>v.</i> Farley . . .	401
McDonald <i>v.</i> . . . .	10	Galland <i>v.</i> Galland . . .	463
City of Boston, Savings		Garten <i>v.</i> Penick . . .	210
Institution <i>v.</i> . . . .	272	Gas and Water Co., Custar <i>v.</i>	746
City of Detroit <i>v.</i> Blakeby	670	Green & Coates R. R. Co.,	
Clark <i>v.</i> Bininger . . .	304	Moore <i>v.</i> . . . . .	225
Clark <i>v.</i> Dick . . . .	739	Griswold, Hepburn <i>v.</i> . .	175
Commonwealth of Virginia,		Harbour, Robinson <i>v.</i> . .	355
Paul <i>v.</i> . . . . .	109	Hare, Luellen <i>v.</i> . . .	611
Cox <i>v.</i> Farmers' Market		Hefferman <i>v.</i> Porter . . .	41
Co. . . . .	103	Hepburn <i>v.</i> Griswold . . .	175
Cuff <i>v.</i> Newark & N. Y. R.		Hinson <i>v.</i> Lott . . . .	36
R. Co. . . . .	541	Indiana, Stevens <i>v.</i> . . .	530
Custar <i>v.</i> Titusville Gas Co.	746	Insurance Co, Myers <i>v.</i> . .	82
Deever <i>v.</i> Steamer Hope .	683		

	PAGE		PAGE
Jackson, Norris <i>v.</i> . . . .	421	Norris <i>v.</i> Jackson . . . .	421
James, Spitler <i>v.</i> . . . .	605	Oologardt <i>v.</i> The Brig	
Jaudon, Markham <i>v.</i> . . . .	285	Anna . . . . .	475
King, Ruckman <i>v.</i> . . . .	146	Osborn, Toll Bridge Co. <i>v.</i>	73
Kinsinger, Pullan <i>v.</i> . . . .	557	Parham, Woodruff <i>v.</i> . . .	25
Knickerbocker Ins. Co.,		Paul <i>v.</i> Commonwealth of	
Myers <i>v.</i> . . . . .	82	Virginia . . . . .	109
Lafferty <i>v.</i> St. Joseph R.		Peckham, Capen <i>v.</i> . . . .	136
R. Co. . . . .	229	Penick, Garten <i>v.</i> . . . .	210
Law <i>v.</i> Wallerstein . . . .	293	People <i>v.</i> Salomon . . . .	232
Little Miami R. R. Co. <i>v.</i>		People <i>v.</i> Township Board	487
Wetmore . . . . .	621	Porter, Hefferman <i>v.</i> . . .	41
Lott, Hinson <i>v.</i> . . . .	36	Potter, Walling <i>v.</i> . . . .	618
Luellen <i>v.</i> Hare . . . .	611	Prescott, U. S. <i>v.</i> . . . .	481
McDonald <i>v.</i> Chicago & N.		Providence Savings Insti-	
W. R. R. Co. . . . .	10	tution <i>v.</i> Boston . . . .	272
McGuire <i>v.</i> Stevens . . . .	484	Pullan <i>v.</i> Kinsinger . . . .	557
Maclin <i>v.</i> N. Jersey Steam-		Railroad Co., Cuff <i>v.</i> . . .	541
boat Co. . . . .	239	Railroad Co., Lafferty <i>v.</i> .	229
Maine Central R. R. Co.,		Railroad Co., McDonald <i>v.</i>	10
N. E. Express Co. <i>v.</i> . . .	728	Railroad Co., Moore <i>v.</i> . .	225
Market Co., Cox <i>v.</i> . . . .	103	Railroad Co., N. E. Ex-	
Markham <i>v.</i> Jaudon . . . .	285	press Co. <i>v.</i> . . . . .	728
Martin <i>v.</i> Smith . . . . .	694	Railroad Co. <i>v.</i> Wetmore	621
Maryland, Ward <i>v.</i> . . . .	424	Railroad Co., Whiting <i>v.</i>	156
Milwaukee Belle, Ray <i>v.</i>	311	Ray <i>v.</i> Schooner Milwau-	
Moore <i>v.</i> Green and Coates		kee Belle . . . . .	311
R. R. Co. . . . .	225	Robinson <i>v.</i> Harbour . . .	355
Myers <i>v.</i> Knickerbocker		Ruckman <i>v.</i> King . . . .	146
Life Ins. Co. . . . .	82	St Joseph R. R. Co., Laf-	
Nagel, Carey <i>v.</i> . . . .	362	ferty <i>v.</i> . . . . .	229
Newark & N. Y. R. R. Co.,		Salomon, The People <i>v.</i> . .	232
Cuff <i>v.</i> . . . . .	541	Schneider <i>v.</i> Evans . . . .	536
New England Express Co.		Schooner Belle, Ray <i>v.</i> . .	311
<i>v.</i> M. C. R. R. Co. . . . .	728	Scott, Matter of . . . . .	349
New Jersey Steamboat Co.,		Sheboygan R. R. Co., Whi-	
Maclin <i>v.</i> . . . . .	239	ting <i>v.</i> . . . . .	156
		Smith <i>v.</i> Averill . . . .	47

# TABLE OF CASES.

vii

	PAGE		PAGE
Smith v. Brazleton . . .	762	United States v. Prescott	481
Smith, Martin v. . . .	694	United States v. Superior	
Sparks v. Farmers' Bank	365	Court . . . . .	297
State, Stevens v. . . .	530	United States v. Treasurer	
Spitler v. James . . .	605	Muscatine Co. . . .	415
State, Street v. . . .	749		
Steamboat Co., Maclin v.	239	Wallerstein, Law v. . .	293
Steamer Hope, Deever v.	683	Walling v. Porter . . .	618
Stevens, McGuire v. . .	484	Ward v. State of Mary-	
Stevens v. State of Indiana	530	land . . . . .	424
Street v. State . . . .	749	Westerman v. Westerman	690
Superior Court, U. S. v. .	297	Wetmore, Little Miami R.	
Titusville Gas and Water		R. Co. v. . . . .	621
Co., Custar v. . . . .	746	Whiting v. Sheboygan R.	
Toll Bridge Co. v. Osborn	73	R. Co. . . . .	156
Township Board, People v.	487	Woodruff v. Parham . .	25
Treasurer Muscatine Co.,		Woodson v. Fleck . . .	435
U. S. v. . . . .	415	Wynne, Chas. H., Matter of	627

## ERRATA.

Page 395, line 7, for "Copyrolls" read "Copyholds."

Page 453, after the abstract on *Contributory Negligence of Plaintiff*, add name of the case: *Balt. City Passenger R. R. Co. v. Wilkinson*, 30 Md.